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*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

BRANDYWINE COMMUNICATIONS  
TECHNOLOGIES, LLC,

Plaintiff,

v.

IKANO COMMUNICATIONS, INC.,

Defendant.

**DECLARATION OF LEI SUN**

Civil Action No. 2:12-cv-1214

Judge: David Nuffer

I, Lei Sun, declare as follows:

1. I am an associate with the law firm of Farney Daniels PC, counsel for Plaintiff Brandywine Communications Technologies, LLC.

2. I have personal knowledge of the following facts and, if called upon to do so, can testify competently thereto.

3. In 2011, Brandywine filed suit in the Middle District of Florida against four large DSL service providers: AT&T, Verizon, CenturyLink, and EarthLink, asserting the six patents at issue in this lawsuit.

4. Two of the four defendants (Verizon and EarthLink) have settled through the patent licensing firm RPX Corporation.

5. The AT&T case was transferred to the Northern District of California, and is now going through claim construction.

6. The CenturyLink case (now against CenturyLink's subsidiaries CenturyTel and Qwest) remains in the Middle District of Florida, and is currently awaiting a claim construction ruling from that court.

7. To date, neither group of defendants in the two cases above have filed any dispositive motions.

8. Around the end of 2012 and beginning of 2013, Brandywine filed more lawsuits around the country, asserting its DSL patents against around 70 additional DSL service providers.

9. Among those sued is the Defendant IKANO Communications, Inc. ("IKANO").

10. Defendant IKANO owns and operates DSLExtreme, which boasts tens of thousands of clients in over twenty-one major metropolitan areas across the country.

11. IKANO delivers DSL service over the networks of most major telephone companies; it does not rely on just one carrier.

12. IKANO sells DSL modems.

13. IKANO also provides "wholesale" DSL service, which allows other companies to resell DSL service through its circuits.

14. Some of the 70 DSL provider defendants are likely IKANO customers.

15. Attached hereto are true and correct copies of the following exhibits:

A. A press release from IKANO's website regarding DSLExtreme;

- B. A webpage from DSLExtreme's website;
- C. A webpage from IKANO's website regarding DSL Internet Access – Frequently Asked Questions;
- D. A webpage from IKANO's website regarding Services for Resellers – Wholesale DSL Internet Access;
- E. A webpage from IKANO's website regarding DSL Internet Access – For Internet Service Vendors;
- F. A webpage from IKANO's website regarding DSL Internet Access – For Domain Providers;
- G. The scheduling order from *Brandywine Communications Technologies, LLC v. AT&T Corp. et al.*, Case No. C 12-02494 CW (N.D. Cal.);
- H. The scheduling order from *Brandywine Communications Technologies, LLC v. CenturyTel Broadband Services, LLC et al.*, Case No. 6:12-cv-286-CEH-DAB (M.D. Fla.);
- I. A webpage from AT&T's website regarding DSL modems; and
- J. A webpage from CenturyLink's website regarding DSL modems.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 29th day of March, 2013, at Georgetown, Texas.

/s/ Lei Sun

Lei Sun

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 29th day of March, 2013, I electronically filed the foregoing document with the Clerk of the Court, using the CM/ECF system, which automatically sent email notification of such filing to all counsel who have entered an appearance in this action.

/s/ James B. Belshe

James B. Belshe

Joseph G. Pia

*Attorneys for Plaintiff*

*Brandywine Communications Technologies, LLC*